UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

Joseph Hannify

v.

Civil No. 08-cv-268-SM

NH State Prison, Warden

<u>ORDER</u>

The court finds that the petitioner has failed to make a substantial showing of the denial of a constitutional right, and therefore declines to issue a certificate of appealabilty. See 28 U.S.C.§ 2253(c)(2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0.

SO ORDERED.

May 26, 2010

Steven J. McAuliffe

Chief Judge

cc: Joseph Hannify

Elizabeth C. Woodcock, Esq.